

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID KAVANAGH,

Plaintiff,

v.

WINCO HOLDINGS, INC.,

Defendant.

NO: 2:16-CV-0269-TOR

ORDER OF DISMISSAL

BEFORE THE COURT is the parties' Joint Motion for Dismissal with Prejudice (ECF No. 9). The parties have stipulated and requested that this action be dismissed with prejudice and without fees or costs awarded to either party.

There being no reason to delay entry of this order,

ACCORDINGLY, IT IS HEREBY ORDERED:

1. The hearing on this motion, set for March 10, 2017 is **VACATED**.
2. Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and the parties' stipulation, the above entitled matter is **DISMISSED** with prejudice and without fees or costs awarded to either party. All scheduled hearings,

1 conferences and trial are vacated.

2 The District Court Executive is hereby directed to enter this Order, furnish
3 copies to counsel, and **CLOSE** the file.

4 **DATED** January 27, 2017.



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Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge